

bonds, recognizances and jurors heretofore selected, etc., returnable to the terms of court as they now exist, and continuing in session the district court, which may now be in session until its term expires by law, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 17, 1923.

Hon. H. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 101, A bill to be entitled "An Act to repeal Sections 14, 16 and 17 of Chapter 111, Local and Special Laws, passed at the Regular Session of the Thirty-fifth Legislature, said act being an act amending Cass county road law passed by the Thirty-third Legislature at its Regular Session, 1913; and authorizing Cass county, Texas, or any political subdivision or defined district thereof, to issue road bonds under the provisions of the general law; validating bond election heretofore held in Road District No. 16, a defined road district in said county, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 17, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 15, A bill to be entitled "An Act to repeal Chapter 118 of the Special and Local Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 45 of the Special and Local Laws of the Second Called Session of the Thirty-sixth Legislature, authorizing and empowering Falls county or a political subdivision thereof to vote bonds for the purpose of constructing permanent roads; providing that nothing in this act shall affect pending litigation under said law; authorizing Falls county, Texas, or any political subdivision, or defined district thereof to issue road bonds under the provisions of the general law; validating bond elections heretofore held in certain defined road districts within

said county, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

NINTH DAY.

(Thursday, January 18, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Hardin of Erath.
Amsler.	Hardin
Arnold.	of Kaufman.
Atkinson.	Harrington.
Avis.	Harris.
Baker of Milam.	Henderson
Baker of Orange.	of Marion.
Baldwin.	Hendricks.
Barker.	Houston.
Barrett.	Howeth.
Beasley.	Hughes.
Bell.	Hull.
Bird.	Irwin.
Blount.	Jacks.
Bobbitt.	Jennings.
Brady.	Jones.
Bryant.	Kemble.
Cable.	Lackey.
Carpenter	Laird.
of Dallas.	Lamb.
Carpenter	Lane.
of Matagorda.	LeMaster.
Carson.	LeSturgeon.
Carter of Coke.	Lewis.
Carter of Hays.	Loftin.
Chitwood.	Looney.
Coffee.	Lusk.
Collins.	McBride.
Covey.	McDaniel.
Cowen.	McDonald.
Crawford.	McNatt.
Culp.	Martin.
Davenport.	Mathes.
Davis.	Maxwell.
DeBerry.	Melson.
Dielmann.	Merriman.
Dinkle.	Merritt.
Dodd.	Miller.
Downs.	Montgomery.
Driggers.	Moore.
Duffey.	Morgan
Dunlap.	of Robertson.
Dunn.	Pate.
Durham.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pool.
Frnka.	Pope.
Fugler.	Potter.
Gipson.	Price.
Greer.	Purl.

Quaid.	Stewart
Quinn.	of Edwards.
Rice.	Stewart of Jasper.
Robinson.	Stewart of Reeves.
Rogers.	Stiernberg.
Rountree.	Storey.
Rowland.	Strickland.
Russell	Stroder.
of Callahan.	Sweet.
Russell of Trinity.	Teer.
Sackett.	Thompson.
Sanford.	Thrasher.
Satterwhite.	Turner.
Shearer.	Wallace.
Shires.	Wells.
Simpson.	Westbrook.
Smith.	Wessels.
Sparkman.	Williamson.
Stell.	Young.
Stevens.	

Absent.

Bonham. Green.

Absent—Excused.

Burmeister.	Morgan
Henderson	of Liberty.
of McLennan.	Vaughan.
Johnson.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Winfree for today and tomorrow, on motion of Mr. Potter.

Mr. Wilson for today and tomorrow, on motion of Mr. Patterson.

Mr. Burmeister for today, on motion of Mr. Williamson.

The following members were granted leaves of absence on account of sickness:

Mr. Johnson for today, on motion of Mr. Brady.

Mr. Henderson of McLennan, on motion of Mr. Hughes.

Mr. McFarlane for today, on motion of Mr. Loftin.

Mr. Vaughan for today and the rest of the week, on motion of Mr. Finlay.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Purl:

H. B. No. 183, A bill to be entitled "An Act authorizing cities having more than twenty-five thousand inhabitants and owning and operating their own waterworks systems to acquire by purchase, gift, devise or by the exercise of the right of eminent domain through and by condemnation proceedings, the necessary lands and property, public or private, including riparian rights, lying within any such city or outside any such city or in any county in the State for the purpose of constructing reservoirs and for the purpose of the extension, construction, improvement and enlargement of the said waterworks systems including the construction of dams, wells, water supply reservoirs, water sheds and such other necessary appurtenances and facilities in order to furnish to any such city an adequate supply of wholesome water, defining the governing authorities, and prescribing the procedure in cases of the exercise of the right of eminent domain by condemnation, and providing for an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Purl:

H. B. No. 184, A bill to be entitled "An Act amending subdivision (1) of Section 1 of an act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salaries or compensation of their city or corporation judge, city attorney, and city auditor, at not exceeding a maximum prescribed sum, fixing the maximum amount thereof, and declaring an emergency, being House bill No. 101, Chapter 21 of the General Laaws of Texas, approved June 17, 1920, and effective June 17, 1921, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Carpenter of Dallas and Mr. Irwin:

H. B. No. 185, A bill to be entitled "An Act to provide for the printing of all proclamations and legal notices, or other advertising matter, by the different institutions of the State, districts, counties and subdivisions thereof, and providing for maximum fees to be charged for said publications, and directing the manner of payment therefor, and repealing all laws and parts of laws

in conflict herewith, and declaring an emergency."

Referred to Committee on Public Printing.

By Mr. Strickland:

H. B. No. 186, A bill to be entitled "An Act to create the Paris Independent School District of Lamar county, Texas, defining its boundaries and providing for the election of a board of trustees, investing said district and its board of trustees, with full power, privileges and duties of towns incorporated for free school purposes only, investing the trustees with the control of the public schools of said district, authorizing the levying and collecting of taxes for said purposes, authorizing the appointment of a tax collector and assessor, and authorizing the said board to be vested with all authority that is vested in boards of trustees of independent school districts by the general laws of the State of Texas; providing for the assumption and refunding by the Paris Independent School District as herein defined and established of all or any part of the indebtedness, bonded or otherwise, of the city of Paris, Texas, created for school purposes; and repealing so much of the Acts of the Twentieth Legislature, being House bill No. 541, entitled 'An Act to incorporate the city of Paris and to grant it a new charter,' which in any manner invests the city of Paris with the control."

Referred to Committee on School Districts.

By Mr. Shearer and others:

H. B. No. 187, A bill to be entitled "An Act to define and regulate professional nursing; to create a board of nurse examiners for the examination and licensing of nurses, and to prescribe their qualifications; to provide for their proper registration and for the revocation of certificates and to fix suitable penalty for the violation of this act, to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Potter, Mr. McNatt and Mr. Kemble:

H. B. No. 188, A bill to be entitled "An Act to establish a system of public roads and bridges for Tarrant county,

and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct, and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of bonds under this act, and to provide other forms of indebtedness, and for the levy of taxes for such purposes, and to allow the issuance of bonds for the purpose of funding or refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds, and from the levy of taxes for roads and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer, and for the employment of a consulting engineer; to employ special counsel for the county; to empower the commissioners court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary, and to employ the convicts on said roads, and to provide for the compensation of the commissioners for the performance of their duties under the terms of this act; and repealing all laws in conflict with the provisions hereof, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Sackett, Mr. Lackey and Mr. LeSturgeon:

H. B. No. 189, A bill to be entitled "An Act to regulate the packing and the marking of packages and containers; requiring the net quantity of the contents of such packages or containers to be plainly and conspicuously marked on the outside of package or container; defining the term 'container;' giving authority to State Superintendent of Weights and Measures to supervise the enforcement of this act; providing for penalties for the enforcement of the act; repealing Section 8, Chapter 130, Acts of the Regular Session of the Thirty-sixth Legislature and all laws in conflict, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Lackey, Mr. Howeth and Mr. Sackett:

H. B. No. 190, A bill to be entitled "An Act to amend an act passed by the First Called Session of the Thirty-fifth Texas Legislature, amending an act passed by the Second Called Session of the Thirty-third Legislature, approved September 26, 1914, and being an act 'to provide a system of State bonded warehouses,' and the same is hereby amended to read as follows, and repealing certain statutes and all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Melson:

H. B. No. 191, A bill to be entitled "An Act fixing the compensation for the official shorthand reporters of the Eighth and Sixty-second Judicial Districts of Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Greer:

H. B. No. 192, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1924, and August 31, 1925, respectively; allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished, and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over three hundred scholars shall receive such aid, giving preference to all school districts in which the available school fund, together with the local district tax, will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent schools from meeting stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations, according to plans approved by the State Department

of Education; providing assistance for small districts which effect consolidation during the next two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith."

Referred to Committee on Appropriations.

By Mr. Sackett and Mr. Jones:

H. B. No. 193, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature as originally enacted, as amended by Chapter 12, General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by the General Laws of the Third Called Session of the Thirty-sixth Legislature by adding thereto fourteen (14) additional sections designated as 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n, 15o, 15p, 15q, 15r, and 15s. This amendment provides in substance that when cattle or sheep are found to be infected with cattle or sheep scabies, or are exposed or have been exposed thereto, are upon premises where such scabies are known to have been within a certain period of time, the owners and caretakers thereof shall dip said cattle or sheep in a dip solution provided therefor at certain stated intervals after having first been notified by the Live Stock Sanitary Commission or its chairman to so dip the same; providing the contents of the notice to be given; providing for hearings to be had upon contest of such dipping order; providing for court review of such hearing; providing for inspection to be had of cattle or sheep and premises by the Live Stock Sanitary Commission or its representatives under certain conditions; providing for reasonable time after contest of dipping order to be given for the owners or caretakers to comply with said dipping order; providing that owners and caretakers of such animals shall gather same for inspection and a failure or refusal so to do shall be prima facie evidence that such animals or the premises where same are kept are infected with scabies; providing for disinfection of shearing plants, machinery and utensils and the

wearing apparel of laborers engaged in sheering sheep infected with scabies or located upon premises under quarantine for sheep scabies and providing manner of such disinfecting and fixing penalties for violation thereof; providing for disinfection of premises under quarantine for sheep scabies infection and how the same shall be disinfected and the disinfectant to be used therefor and providing penalties for failure to so disinfect said premises; providing where the owners or caretakers of cattle or sheep required to be dipped for infection or exposure, fail or refuse to dip cattle or sheep when ordered so to do, the commissioners' court of the county shall cause said animals to be dipped under the direction and supervision of an authorized inspector of the Live Stock Sanitary Commission and providing for the payment of expenses out of the general fund of the county and fixing a lien upon the cattle or sheep so dipped in behalf of the county and providing for foreclosure of such lien; making it unlawful for any person, company or corporation to transport over any public road or railroad or on the lands and premises of another, cattle or sheep infected with scabies; prohibiting the importation into the State of sheep except under certain requirements and providing how sheep imported shall be billed and providing penalties for importation of sheep in violation thereof; providing that this act is cumulative of all existing statutes in reference to the quarantine of cattle and sheep or premises for the eradication of cattle and sheep scabies; providing that this act shall be liberally construed and if any section be declared invalid the remaining parts of the law shall not be affected thereby; repealing Title 136 of the Revised Civil Statutes of 1911 and all laws or parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Brady:

H. B. No. 194, A bill to be entitled "An Act to promote the efficiency of the paid fire departments of cities of this State with populations of ten thousand or over, to provide a two platoon system in said cities, and defining conditions under which the same shall be operated; to provide the manner of hearing charges preferred against men in said fire departments and for the

granting of vacations with pay; to provide that the salaries paid at present to the men in said departments shall not be reduced and to regulate promotion for the men and to provide for the repeal of any law or laws or parts of same of any city or ordinances for fire departments, rules or regulations or parts of same contrary to the provisions of this act, and to provide for a penalty for a violation of any of its provisions."

Referred to Committee on Municipal and Private Corporations.

By Mr. Amsler:

H. B. No. 195, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, House bill No. 200, Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Armstrong, Dickens Presidio, Liberty, Houston, Terrell and Throckmorton counties, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Price:

H. B. No. 196, A bill to be entitled "An Act to amend Chapter 1 of Title 29 of the Revised Civil Statutes of 1911 by adding thereto Articles 1459a, 1459b, 1459c and 1459d, providing for the employment by commissioners courts in counties not having a county auditor of an accountant to audit the books, records and files of the county, and the reports, books, records and files of all officers, agents, agencies, pertaining to all financial transactions and matters with respect to which the commissioners court is charged with any duty; providing for a report of such audit and for their compensation therefor."

Referred to Committee on Counties.

By Mr. Turner:

H. B. No. 197, A bill to be entitled "An Act to prohibit the sale and leasing of pistols and ammunition therefor, except to certain peace officers upon written permit from the sheriff or chief of police, and providing penalty for violation thereof."

Referred to Committee on Criminal Jurisprudence.

By Mr. Houston:

H. B. No. 198, A bill to be entitled "An Act creating the Floresville Independent School District of Wilson County, Texas; defining its boundaries; divesting the City of Floresville of the control and management of the public free schools, and vesting same in a board of trustees for said district; providing for a board of trustees in said district, conferring upon said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; divesting the City of Floresville of the title to any and all school property, and vesting the board of trustees with the title thereto; providing that any territory within the bounds of said district as created by this act shall remain chargeable with any and all outstanding bonded indebtedness heretofore voted by such territory; providing that said district as herein created may at an election assume such outstanding bonded indebtedness, naming the fiscal year as to taxes; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Culp, Mr. Bell and Mr. Beasley:

H. B. No. 199, A bill to be entitled "An Act to amend Article 927, Chapter 6, Title 22, of the Revised Civil Statutes of the State of Texas, 1911, by substituting therefor language making it possible for cities and towns to assess and collect a poll tax from all its inhabitants, at the city's option (idiots and lunatics excepted), and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Rowland:

H. B. No. 200, A bill to be entitled "An Act to amend Title 17, Chapter 18, Vernon's Penal Code of Texas, 1916, by adding thereto Article 1422a, relative to the offense of swindling, so as to prohibit the obtaining of money or other thing of value with intent to defraud by the giving or drawing of any check, draft or order upon any bank, person, firm or corporation with which the person giving or drawing such check, draft or order has not sufficient funds to pay same; providing that after ten days from the time such person giving or drawing such check, draft or order has received written notice as hereafter provided that payment of such check, draft or order is refused by the drawee shall be prima facie evidence of intent to defraud on the part of the person giving or drawing such check, draft or order; defining what shall constitute notice; providing a penalty; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Blount:

H. B. No. 201, A bill to be entitled "An Act to make an emergency appropriation out of the general revenues for the purpose of improvements, equipment and maintenance for the Stephen F. Austin Normal College, at Nacogdoches, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Stell:

H. B. No. 202, A bill to be entitled "An Act to create a marketing and price recommending commission, providing the manner of appointment, the tenure of office, prescribing the duties and qualifications, and providing for a plan of co-operation between said commission and any similar commission created by any other State in recommending a profitable price for cotton and cottonseed, and providing that all departments of the State government and all institutions using State funds shall give their support in an educational way to the advocacy of profitable prices for cotton and cottonseed as recommended by the State Marketing and Price Recommending Commission, and providing that the State Department of Agriculture and Extension Service of the A. & M. College shall through their different agen-

cies, bureaus, field workers, farm demonstrators, bulletins and other publications give publicity to any and all prices recommended by the commission; making an appropriation to defray the expenses of the commission, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Price:

H. B. No. 203, A bill to be entitled "An Act to amend Chapter 11, Title 126, of the Revised Civil Statutes of the State of Texas, adopted in 1911, relating to the taxation of real and personal property and the mode of rendering same, and adding to said chapter Articles 7505a, 7505b, 7505c, 7505d, 7505e, 7505f, 7505g, 7505h, and providing for the manner of taxing mortgages and liens against real estate and the property subject thereto; and providing a penalty for failure to so render, and repealing all laws in conflict therewith."

Referred to Committee on Revenue and Taxation.

By Mr. Frnka:

H. B. No. 204, A bill to be entitled "An Act to amend Article 1063 of the Penal Code of the State of Texas, relating to the offense of rape, and adding thereto the proviso that the author of a woman's unchastity shall not avail himself of such unchastity as a defense, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster:

H. B. No. 205, A bill to be entitled "An Act providing for the appointment of the Banking Commissioner of Texas; fixing his term of office, official name, compensation, and prescribing his qualifications and duties; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a deputy commissioner of banking, defining his duties, fixing his compensation, providing clerical help for such department, providing for the appointment of State bank examiners, fixing their number, salaries and duties; providing for the number of examinations that shall be made by State examiners of State banks, fixing the fees they shall be paid for such examinations, and

providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation; providing for the appointment of a general liquidating agent, prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas, passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917, and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature passed in 1909, being Senate bill No. 4; amending Articles 518, 519, 521, Vernon's Sayles' Revised Statutes of the State of Texas as amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate bill No. 4, and Article 521a, Vernon's Sayles' Revised Statutes of the State of Texas, as amended by Chapter 205, Section 7, Acts of the Thirty-fifth Legislature, at its Regular Session in 1917; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster.

H. B. No. 206, A bill to be entitled "An Act to amend Section 10, Chapter 15, being Senate bill No. 4 of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909; being Article No. 486, Vernon's Sayles' Revised Statutes of the State of Texas; providing that the Banking Commissioner of Texas may take possession of any bank or trust company under the provisions of the bank deposit guaranty law of the State of Texas, and providing that the depositors of said bank or trust company in Article 448, Vernon's Sayles' Revised Statutes of the State of Texas, shall be paid in full out of the cash in said bank or bank and trust company that can be made immediately available from such bank, and the remainder shall be paid out of the depositors' guaranty fund through the said board in the event the cash available in said institution shall be insufficient, and providing that only non-interest bearing

and unsecured deposits shall be protected under the guaranty fund; defining public funds; providing that no deposit of public funds shall be protected under the guaranty fund or the bond security plan, that cashiers' checks, bank drafts or exchange issued by State banks or State bank and trust companies shall not be protected under the guaranty fund or the bond security plan, and providing that no unmatured interest-bearing certificates of deposit or any other kind of interest-bearing deposit that shall have been changed to a non-interest-bearing and unsecured deposit within ninety days prior to the closing of State banks by the Banking Commissioner of Texas shall be protected by the guaranty fund, and that no deposit made by a creditor for the purpose of converting a loan held against a debtor bank into a non-interest-bearing and unsecured deposit shall be protected by the guaranty fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster:

H. B. No. 207, A bill to be entitled "An Act providing that State banks, or State bank and trust companies, organized under the general laws of the State of Texas, desiring to convert to any other system of banking, shall give notice to the public by advertisement in a newspaper of such change; providing also that such bank or trust company shall notify the Banking Commissioner of Texas, in writing, of such change not less than 30 days before such conversion shall be made; providing that no funds shall have been deposited in a State bank and trust company in this State shall be protected by the guaranty fund of this State or by the Bond Security Law of this State after such corporation shall have converted to some other system of banking; prohibiting a State bank or State bank and trust company organized and doing business under the general laws of the State of Texas from investing more than fifty per cent of its capital stock and surplus in its banking house, nor more than fifteen per cent of its capital stock and surplus in the furniture and fixtures to be contained in its banking house without first obtaining the written permission of the State Banking Board of the State of

Texas; prohibiting officers of State bank and trust companies organized under the general laws of the State of Texas from engaging in fraudulent or speculative business enterprises reasonably calculated to bring discredit upon such bank or bank and trust company; giving the Banking Commissioner of Texas power to remove officers guilty of such practices, and to enforce his order of removal by closing and liquidating any bank or bank and trust company so offending; prohibiting State banks or State bank and trust companies organized under Title 14, Vernon's Sayles' Revised Statutes of the State of Texas, 1914, and amendments thereto, from issuing non-interest-bearing certificates of deposit, and providing that no interest-bearing certificates of deposit shall not be protected by the Guaranty Fund Law or the bond security plan of the State banks of Texas; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster:

H. B. No. 208, A bill to be entitled "An Act to amend Sections 3 and 15 of Chapter 15, being Senate bill No. 4 of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909, and being Articles Nos. 447 and 491 of Vernon's Sayles' Revised Statutes of the State of Texas; providing that all banks and trust companies mentioned in Article 445 of the Revised Statutes of the State of Texas shall have the right to secure its depositors under the terms, provisions and regulations set forth in said Chapter 15, either by the guaranty fund or bond security system, and providing how said banks shall avail themselves of said provisions, and providing that every State bank and trust company doing business under the State banking laws of the State of Texas shall secure its depositors either by the guaranty fund or the bond security system, and shall have the right to change from one system to the other at any time after proper notice to the Banking Commissioner of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster.

H. B. No. 209, A bill to be entitled "An Act to amend Section 2 of Chapter 15 of the General Laws of the State of Texas, being Senate bill No. 4 of the Acts of the Thirty-first Legislature, passed at its Second Called Session in 1909, and being Article No. 466, Vernon's Sayles' Revised Statutes of the State of Texas, providing for the creation of a State Banking Board, fixing the number of members thereof, and defining the duties and powers of said board, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster.

H. B. No. 210, A bill to be entitled "An Act to amend Section 5, of Chapter 10, Senate bill No. 6, as passed by the Twenty-ninth Legislature of the State of Texas in 1905, being Article 375 of Title 14, Vernon's Sayles' Revised Statutes of the State of Texas, providing for the amount of capital stock of State banks or State bank and trust companies that may be hereafter organized under Title 14 of the Revised Statutes of the State of Texas, or under the general laws of the State of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster.

H. B. No. 211, A bill to be entitled "An Act to repeal Article 473 of the Revised Statutes of Texas, being a part of Section 9, Chapter 15, of the General Laws of the State of Texas, passed by the Thirty-first Legislature at its Regular Session in 1909, and being Senate bill No. —, said Article 473 being that portion of Section 9, Chapter 15 of the General Laws of the State of Texas passed by the Thirty-first Legislature at its Regular Session in 1909, reading as follows: 'Whenever any such State bank of whose property and business the commissioner has taken possession as aforesaid, deems itself aggrieved thereby, it may at any time apply to the district court, if in session, or to the judge thereof, if in vacation, of the district in which such bank is located and transacting business, to enjoin further pro-

ceedings, and said court, if in session, or the judge thereof, if in vacation, after citing the commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts, may upon the merits dismiss such application or enjoin the commissioner from further proceedings and direct him to surrender such business and property to such State bank,' and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Irwin, Mr. Carpenter of Dallas and Mr. LeMaster.

H. B. No. 212, A bill to be entitled "An Act to amend Section 31 of Chapter 15, being Senate bill No. 4, of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909, and being Article 515, Vernon's Sayles' Revised Statutes of the State of Texas, and Article 522 of the Penal Code of the State of Texas, providing that all State banks or State bank and trust companies provided for in said act shall have the right to use any truthful method of advertising; prohibiting the use of any untruthful statements of advertising as to the guaranty fund system of the State banks of Texas, or the bond security plan of the State banks of Texas; empowering the Banking Commissioner to enforce this law; fixing penalties for its violation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Rogers:

H. B. No. 213, A bill to be entitled "An Act levying an occupation tax against retail dealers in cigars, cigarettes, snuff and tobacco, and providing for the collection of such tax, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Teer and others:

H. B. No. 214, A bill to be entitled "An Act to amend Article 3896 of the Revised Civil Statutes of the State of Texas, 1911, defining fiscal year."

Referred to Committee on State Affairs.

By Mr. Melson:

H. B. No. 215, A bill to be entitled "An Act providing for an improvement road fund for the State of Texas; levying an occupation tax of two cents a gallon on gasoline to be collected from retail dealers in gasoline; defining retail dealers in gasoline, and defining gasoline; providing for the collection of said occupation tax; providing a penalty for non-payment, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Culp:

H. B. No. 216, A bill to be entitled "An Act to amend Article 2286, Title 41, Chapter 1, Revised Statutes of 1911, relating to election and qualifications of justices of the peace; in so far as Article 2286, Title 41, Chapter 1, affects Bell county, or any city therein, to read as follows, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Culp and Mr. Shearer:

H. B. No. 217, A bill to be entitled "An Act regulating the practice of medicine; amending certain articles and adding new articles to Title 90, Chapter 1, of the Civil Statutes of Texas; amending certain articles and adding new articles to Title 12, Chapter 6, of the Penal Code of the State of Texas, as follows: By amending Article 5737 of the Civil Statutes, prescribing certain duties of district clerks relating to license to practice medicine; making it the duty of county health officers to keep informed as to the death and removal of physicians from the county of their residence and report such deaths and removals to district clerks; and making it the duty of the Secretary of the State Board of Medical Examiners, upon notice of the cancellation of the license of any physician, to certify the fact to district clerks; by amending Article 5739 of the Civil Statutes so as to leave it optional with the Board of Medical Examiners the time when, the subjects in which, and the fee for which an applicant who has failed to pass examination may take a subsequent examination; by amending Article 5741 of said Civil Statutes, authorizing the State Board of Medical Examiners at its discretion to conduct examinations in two parts, and prescribing the fee to be paid by the applicant for each examination; by

amending Chapter 129, Acts of the Regular Session of the Thirty-sixth Legislature, approved March 24, 1919, to be known hereafter as Article 5744a of said Civil Statutes, giving authority to and making it the duty of the State Board of Medical Examiners to cancel the license of any practitioner of medicine for reason enumerated, and prescribing the procedure to be followed in such cases; by adding a new article to said Civil Statutes, to be numbered Article 5744b, to prevent by means of writ of injunction, at the suit of the State, the State Board of Medical Examiners, or any citizen of the county of the defendant's residence, the actual, threatened, or contemplated practice of medicine in violation of law; by amending Article 750 of the Penal Code, making it unlawful for any person to practice medicine without first taking the oath prescribed by law and having his license registered by the district clerk of the county where he is located or into which he may remove; by adding a new article to Chapter 6, Title 12, of the Penal Code of the State of Texas, to be Article 750a making it unlawful for any person to practice medicine after his license has been cancelled by the State Board of Medical Examiners, or by any court of competent jurisdiction, and providing as a punishment therefor, confinement in the penitentiary and disqualification thereafter to be licensed to practice medicine; by amending Chapter 6, of Title 12, of the Penal Code by adding a new article, to be numbered Article 756a, making it the crime of false swearing, a felony, for any applicant for license to practice medicine to make a false oath in his application to the Board of Medical Examiners, or to make a false oath before the district clerk to secure registration of his license; providing that if any section, or part of a section, provision, penalty, right, or remedy contained in this act shall be held unconstitutional, invalid, or inoperative, it shall not affect the remaining sections, parts of sections, provisions, rights or remedies prescribed by this act; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Stewart of Reeves and Mr. Bryant:

H. B. No. 218, A bill to be entitled "An Act to define what shall constitute

a unit of weight or measure of all commodities purchased or sold by length, weight or measure; providing for the sale of commodities by State standards of weight or measure; providing for the sale of hay by weight; establishing a standard for bread sold in loaves; providing penalties for the enforcement of this law; repealing certain statutes, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Smith:

H. B. No. 219, A bill to be entitled "An Act levying an inheritance or transfer tax on property passing by will or by descent or by grant or gift, taking effect on the death of the grantor or donor; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Covey and Mr. Howeth:

H. B. No. 220, A bill to be entitled "An Act to repeal Article 2753 of the Revised Civil Statutes of 1911, pertaining to the organization and holding of county and district institutes for teachers, and declaring an emergency."

Referred to Committee on Education.

By Mr. Stewart of Reeves, Mr. Carter of Coke and Mr. Carson:

H. B. No. 221, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the U. S. Department of Agriculture in the destruction of rodent pests, prairie dogs, rats, pocket gophers, and ground squirrels, and predatory animals, coyotes, wolves, mountain lions, and bobcats; appropriating funds for such purpose; repealing present law (Senate bill No. 66) and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Laird:

H. B. No. 222, A bill to be entitled "An Act to amend Chapter 121 of the Acts of the Thirty-seventh Legislature, Regular Session, relating to hours of labor on public work; prohibiting the working of laborers on public works for more than eight hours and repealing all laws in conflict herewith and declaring an emergency."

Referred to Committee on Labor.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the Committee on Constitutional Amendments:

By Mr. Faubion:

H. J. R. No. 12, Proposing an amendment to Section 13 of Article 5 of the Constitution of the State of Texas prescribing the number of men which shall constitute grand and petit juries in the district courts; defining a quorum for grand juries; permitting nine jurors to render a verdict in civil cases and in criminal cases, below the grade of felony, in the district court; providing for jurors less than twelve, to render a verdict in all cases, under certain circumstances; conferring upon the Legislature power to change or modify the rule authorizing a verdict by less than the whole number of the jury by authorizing the Legislature to provide for the selection and impaneling of one additional male juror in felony cases to be known as an "alternate juror" who shall serve on the regular jury, when a vacancy occurs thereon from death, or by a member becoming disabled, as may be provided by law.

By Mr. Finlay and Mr. Hardin of Erath:

H. J. R. No. 13, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors, and their widows, who have been citizens of Texas prior to January 1, 1900; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of ten (\$0.10) cents on the \$100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of such pension; fixing a time for the election to be held on such amendment, and making appropriation to pay the expenses thereof.

RELATING TO COMMITTEE MEETING.

Mr. Fields offered the following resolution:

Resolved, That a committee composed of the chairmen of seven of the principal committees of the House be appointed to arrange a schedule for the meetings of the various committees so as to avoid, as far as possible, conflicts in the times of meeting; and also to report to the House some measure for providing additional committee rooms.

The resolution was read second time and was adopted.

RELATING TO BLOCK PICTURE OF MEMBERS.

Mr. Rogers offered the following resolution:

Whereas, Jensen-Raymer, photographers, 918 Congress Avenue, complimented the Thirty-seventh Legislature with a splendid block picture of its members, which picture is now hanging on the wall of the House; and

Whereas, Jensen-Raymer's studio already have in their files pictures of fully 50 per cent of the members of this House who may or may not sit again for pictures, at their option; and

Whereas, Said photographers agree to take pictures of all members, arrange them in a block picture, according to seat occupied in the House, put under each member's picture his name and postoffice address, the picture to have a suitable heading, protected by glass and framed in a workman-like manner. Said picture to be presented to the Thirty-eighth Legislature free of cost; and

Whereas, Jensen-Raymer agree to have the picture hung before this session adjourns, provided the members are prompt in sitting for their pictures; therefore, be it

Resolved, That the House of Representatives accept this offer from the Jensen-Raymer studio and that they be termed and designated the official photographers of the Thirty-eighth Legislature.

The resolution was read second time and was adopted.

BILL RE-REFERRED.

On motion of Mr. Rowland, House bill No. 200 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Banks and Banking.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,

Austin, Texas, January 17, 1923.

To the Members of the Thirty-eighth Legislature:

Our forefathers wrote into the Declaration of Texas Independence that they would not live under a government that did not make ample provision for the education of its boys and girls. They declared that "the cultivated mind was the guardian genius of democracy, and that knowledge was the only security that freemen desire." Sam Houston said, "The diffusion of knowledge among the people is essential for the preservation of a free government." "The wealth of this country shall educate the children of this country," proclaimed even the fathers of the Texas Republic. In the dream of our early civilization, far-visioned patriots not only made generous provision for the support of the public schools, but projected the foundation for a "university of the first class."

Education a Function of State Government.

It is clearly seen that the early pioneers of our statehood recognized public education as a vital function of the State government. With the development of modern democracy, consciousness of the obligation on the part of the State to maintain and develop education, has been steadily growing. Educational thinkers and philosophic statesmen have long since agreed that education is not only a function of the government, but its most important constitutional obligation. No government is safe whose people are uneducated. Education is an investment that builds up the State; ignorance is a tax that destroys it. Ignorance is the prolific mother of crime. Criminals come mostly from the ranks of the uneducated.

Every child in Texas, from the poorest to the richest, is entitled to a fair education. Not only is the child entitled to it, but the State must see that the child has it. The cost of this edu-

cation is a proper and legitimate charge against the public treasury. It will cost the State more to let the child alone than it will cost to educate it. This responsibility cannot be left solely to local communities. Some localities are poor in purse and some are poor in opportunities; to each of these, as well as to all others, the strong and far-reaching arm of the State should lend a helping hand. With the conviction that the State is primarily responsible for the education of the youth of the land, I recommend and urge that the Legislature purchase for the children of Texas, at the earliest date possible, the best educational system that can be found on the open, educational markets.

An Adequate School System.

As to what is an adequate school system, many suggestions can be easily made and theories advanced. Certainly, at this time, Texas has no such system. There are many schoolhouses scattered throughout all our country precincts, but it cannot be claimed that we have any system of education for our rural districts. We are graded in school efficiency thirty-fourth from the top among the States of the Union. This being true, whatever may be our merit, it is plain that we have many weak points. The first thing to do, it seems to me, would be to determine what are our elements of strength and what are our elements of weakness. To ascertain this it will be necessary to have a thorough, scientific, impartial survey made of our entire educational life. In advance of this information a discussion of defects must necessarily be of a general nature. Some of our defects, however, are fundamental. That our system of financial support should be altered and strengthened, is clear. That we should have, to represent the State as a big unit in the administration of our educational system, a strong State Board of Education, comprised of men and women representing our best educational thought and highest business ability, there can be no question. With the information furnished to this board by the survey committee, the entire educational life of Texas should be studied to the one high end that the administration of education in our State may be simplified, unified, harmonized, and invigorated from top to bottom. This State Board of Education ought to be able to take up the slack, stop the leaks, and elim-

inate the waste and duplication in our entire educational system. They should be able to put on the market in this State an adequate educational system. By an adequate school system is meant a high grade school teacher in a comfortable, well equipped school building, whether that school building be at the forks of the road or on University hill, with its doors, wherever these institutions stand, swinging wide to the boys and girls of Texas, for at least nine months in the year.

The Rural Schools.

In working out an adequate school system, the rural schools of the State should not be overlooked. Under the present system only a small per cent of rural children ever enter a high school. Our country schools are the colleges for the masses. We must build up our common schools; this is urgent and imperative. Our institutions of higher learning should be adequately equipped for the benefit of the fortunate few, but our rural schools should be generously supported for the democratic many. The country child should have as good school as the city youth. It has been wisely said: "If the rural schools fail, rural civilization fails; if rural civilization fails, American civilization fails."

Texas Should Purchase the Best School System There Is on the Market.

Texas should buy the best school system there is on the market. We should have the best. The best is not too good. It is to our everlasting shame that the average boy and girl in Texas does not have an equal educational opportunity with the boys and girls of other States. If this statement is true, and no one questions it, then to every man's good right hand his sword should leap, to fight for these equal rights. In this conflict for equal rights for the children of Texas, I am ready to lead or follow the vanguard of battle. No State in the Union is richer in actual or potential wealth. Our property valuation aggregates ten billion dollars. First in territory, first in stock, first in agriculture, first in oil, first in cotton, and thirty-fourth in education. Wealth untold is here at our command. If as citizens of a State so full and so furnished, following pursuits so pleasant and so profitable, circumstanced with incentives so inspiring and so invigorating, we falter and fail in pro-

viding an adequate educational system for the boys and girls of the State, then we prove ourselves the unworthy descendants of illustrious sires. Let us balance our bounty with our boys, and lay our gold by the side of our girls, and challenge the world to produce a higher, nobler, or better educated citizenship than is found where falls the light of the Lone Star.

Find New Sources of Revenue.

I am not in favor, however, of buying any kind of a school system for Texas; in fact, I am not in favor of buying anything, at any time, from anybody, unless the money can be had with which to pay for it. If we are to have an adequate educational system in Texas, provision must be made for its support. In this connection, candor prompts me to say that I am opposed at this time under present conditions, to raising the tax rate on the homes and the lands of this State. Let us tap new sources of revenue. Wealth escaping taxation can be seen on every hand. For illustration only, I mention a few familiar commodities. Between these two extremes of big enterprises and small institutions, we have plethora of boundless wealth, for tax purposes, untapped and unused. Let us first illustrate with our oil production. We are now, and have been for some years, producing approximately ten million barrels of oil a month in Texas. This oil is worth, except when the Legislature is in session, about \$1.50 a barrel. That will aggregate in a year \$180,000,000 worth of oil. As a matter of equity, that oil belongs to Texas and she ought never to have relinquished her legal rights to it. These wells are rapidly draining Texas dry. Private interests will soon get strippings and all. While the oil production of the State is making paupers and millionaires, we should build some good roads and schoolhouses with a part of this oil. Ought not the State at least as a minimum, get 5 per cent of this stream of gold flowing out of Texas? This within itself will produce as revenue for the State, nine million dollars a year. Now for one or two small illustrations: The people of Texas are spending annually for amusement, \$30,000,000; for chewing gum, \$2,000,000. This money goes mostly into the fat purses of institutions out of the State. They do business in the State, protected by the State laws, and

therefore ought to help, in a substantial way, support the State. "Let us get the money where it is, and spend it on the children where they are."

Texas Must Pay for the Adequate School System.

If Texas is honestly in the market for this adequate educational system, and this system is perfected and put on the market, then Texas money must pay the bill. Texas cannot have an adequate educational system without paying for it. It will cost money. Real money. The coin of the realm. It has been conservatively estimated by scholarly statisticians and educational engineers, that the State can purchase an adequate educational system by investing annually fifty dollars in each of her scholastic students. California spends \$60 per elementary child, \$90 per high school child and \$100 per junior college pupil. We are able to do what California does. Her resources are not as great as ours.

Suppose, however, we see if we can buy a good school system for fifty dollars a child. Now if we make that investment, I believe the State should pay half of that and the local units the other \$25. Suppose we take a look into the State Treasury and see what the State is doing. Now for the year ending August 31, 1922, there came into the State Treasury from all sources, \$28,453,149. Out of this money the State paid for higher education, that is, for institutions not classed as a part of the common school system, \$6,104,185. During this same year the State paid out for the operating expenses of our public free school system, \$18,643,529. If we had 1,300,000 students, the State spent last year per child to educate it, the sum of approximately \$15. This was approximately \$10 short per child on the part of the State from the amount necessary to buy for that child an adequate school system. In justice to the State, however, it is proper to say that of the \$28,453,149 collected by the State from the people, that \$24,747,714 was spent by the State for education. This left in the State Treasury for all other purposes \$3,705,435. From this amount \$2,151,305 was spent in the maintenance of our eleemosynary institutions, and the Confederate homes. To this sum we add \$1,472,970 for the operating expenses of the courts of the State, which leaves a balance in the public treasury of \$81,160 with which

to meet the expenses of the entire executive and administrative departments. This amount was insufficient, and the result is reflected in the present deficiencies of revenue in our State Treasury. It can be clearly seen from these figures that nearly all the money, comparatively speaking, paid into the public treasury goes for education and for support of the eleemosynary institutions of the State. The question might here be raised as to whether or not we, under our present half-baked system of education, are now getting a dollar's worth of education for every dollar's worth of money spent? We should perfect our educational system.

Legislation along the following lines is recommended:

1. The State must recognize education as a vital function of the government.
2. Let the State make a thorough, scientific, impartial survey of our entire educational life, and find out just what we have in an educational way.
3. Make the State the big unit of the educational system with a strong, active, aggressive State Board of Education as the administrative head.
4. Invest not less than fifty dollars in every child in the State within scholastic age, the State providing half of this amount and the local unit the other half.
5. Provide nine months of school each year for every child in Texas.
6. Tap in Texas' new resources of revenue in order to get money with which to pay our educational bill.
7. Enact a law making a safer, saner and more economic method of buying, distributing and using free textbooks. When a change is made in textbooks, let the new books be gradually introduced, so as not to junk the old books.
8. See to it that our scholastic census is accurately and honestly taken.
9. Make scholastic apportionment on the basis of actual attendance at school.
10. Take up the slack, stop the leaks and eliminate the waste and duplication in our educational system.
11. Provide, as far as possible, a definite income for the maintenance of our institutions of higher learning so as to take these schools out of a political wrangle every two years.
12. Teach the boys and girls of the State some of the practical things of life, and impress on their minds the thought that the man whose brow glistens

with the beads of honest sweat is king of men "for a' that and for a' that."

Respectfully submitted,
PAT M. NEFF,
Governor.

RELATING TO RULES OF THE HOUSE.

The Speaker laid before the House, for consideration at this time, the following resolution by Mr. Moore:

Resolved by the House, That Section 9 of Rule IV of the Rules of the House be and is hereby amended so as to hereafter read as follows:

"All clerks and stenographers shall report daily, except Sundays, from 8 a. m. to 12 m., and from 1 to 5 p. m., and at such other hours as the committee to which they have been assigned may be in session, or as they may be directed by the Speaker. A daily record of the arrivals and departures of clerks and stenographers shall be kept by the Chief Clerk."

Mr. Russell of Callahan offered the following (committee) amendment to the resolution:

Amend the resolution by striking out "8 a. m." and inserting in lieu thereof "8:30 a. m.," and by striking out "5 p. m.," and inserting in lieu thereof "5:30 p. m."

The amendment was adopted.

Question then recurring on the resolution as amended it was adopted.

RELATING TO ADDITIONAL PORTERS.

The Speaker laid before the House, for consideration at this time, the following resolution by Mr. Shearer:

Whereas, The present force of porters is inadequate to properly care for the Hall and discharge the other duties incumbent upon them; therefore, be it

Resolved, That the Speaker be authorized to appoint three (3) additional porters at \$3 per day.

Mr. Purl moved the previous question on the resolution, and the main question was ordered.

Question recurring on the resolution, it was adopted.

HOUSE BILL NO. 47 ON ENGROSSMENT.

The Speaker laid before the House, as special order for this hour, on its passage to engrossment,

H. B. No. 47, A bill to be entitled "An Act to amend Sections One (1) and Fifteen (15) of Chapter Eighty-one (81) of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter Thirty-four (34) of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth (36th) Legislature, approved July 25, 1919, as amended by Chapter One Hundred Nineteen (119) of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh (37th) Legislature, approved March 31, 1921, extending the term of said Commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said Commission from the last Saturday in June, 1923, until the last Saturday in June, 1925, for the appointment of judges for said extended term; providing for the qualifications thereof, and fixing the same; and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

The bill having been read second time on last Tuesday.

Mr. Satterwhite offered the following amendment to the bill:

Amend H. B. No. 47 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, and as amended by Chapter 119 of the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, be and the same are hereby amended so that said Sections 1 and 15 shall hereafter read as follows:

"Section 1. That a board of arbitration and appeals, which shall be styled as 'The Commission of Appeals of the State of Texas,' to consist of six persons learned in the law, to be appointed by the Governor, by and with the advice and consent of the Senate, if in session, be and the same is hereby created. The members of said Commission of Appeals of the State of Texas shall have the

same qualifications as are prescribed by law for the judges of the Supreme Court of the State, and shall receive for their services the same salary to be paid in the same manner as are the salaries of the judges of the Supreme Court. The members of said Commission of Appeals, shall, before entering upon the discharge of their duties as such, respectively, take the oath of office prescribed by the Constitution. In case of a vacancy on said Commission of Appeals by the death, resignation or removal of any member thereof, during the vacation of the Legislature, it shall be the duty of the Governor to fill the same by appointment, and the persons appointed shall continue in office until the next session of the Legislature after the appointment. The concurrence of two of the judges of any section shall be necessary to the decision of any question or matter referred to them. The term for which said Commission shall exist shall be from the first Monday in October, 1918, until terminated in the manner provided in Section 15 of this act; provided, the term of office of the judges now appointed and acting upon said Commission of Appeals shall expire on the last Saturday in June, 1923, and thereafter the term of office of the judges of said Commission of Appeals shall, except as hereinafter provided, be for six years, terminating with the last Saturday in June, and the Governor is hereby empowered to appoint, at any time after this act shall take effect, the judges of said Commission for the term beginning the last Saturday in June, 1923, and to appoint such judges thereafter; provided further, that the names of the persons so appointed shall be submitted to the Senate for confirmation, if in session when such appointments are made, or if not in session, then to the first session of the Senate thereafter; provided further, that for the term beginning the last Saturday in June, 1923, one judge on each section of the Commission shall be appointed for two years, one judge on each section for four years, and one judge on each section for six years, from the last Saturday in June, 1923, and their successors shall be appointed for a six-year term.

"Section 15. The term for which the Commission of Appeals created hereby shall exist shall be from the first Monday in October, 1918, until said Com-

mission is terminated in one of the following manners, to wit:

"(a) By act of the Legislature.

"(b) By constitutional enactment increasing the number of judges of the Supreme Court; provided that the Supreme Court, acting through its Chief Justice, may at any time certify to the Governor either that the Commission of Appeals or that one of the sections thereof is no longer needed for the dispatch of the business of the Supreme Court, whereupon, it shall be the duty of the judges of said Commission, or of one section thereof, as the case may be, upon being notified by the Governor of such certificate, to file their resignations with the Governor, and no appointments of the successors of such judges so resigning shall be made unless and until the Supreme Court, acting through its Chief Justice, shall certify to the Governor that one or both sections of said Commission is needed for the dispatch of its business.

"Section 2. The fact that the present Commission of Appeals will expire by its own limitation on the last Saturday in June, 1923, and the further fact that the docket of the Supreme Court is still in a very crowded condition and will be so at the time the Commission of Appeals would expire, and the great necessity that cases pending now on the cause docket of the Supreme Court shall be disposed of as expeditiously as may be done, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read in each house on three several days, and that this act take effect and be in force from and after its passage, and it is so enacted."

Mr. Abney offered the following amendment to the amendment:

Amend amendment to House bill No. 47 by striking out the following words, "the same salary" and insert in lieu thereof "\$5000 per annum."

Question—Shall the amendment to the amendment be adopted?

On motion of Mr. Davenport, the bill, with the pending amendments, was re-committed to the Judiciary Committee.

HOUSE BILL NO. 17 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 17, A bill to be entitled "An Act requiring the Board of Water Engineers and the State Reclamation

Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable; advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

The bill was read second time.

On motion of Mr. Rountree, the bill was set as special order for 11 o'clock a. m. tomorrow.

HOUSE BILL NO. 110 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 110, A bill to be entitled "An Act to establish reciprocity between insurance companies organized under the laws of the State of Texas and those of other States or foreign countries, imposing on such foreign insurance companies and their agents the same requirements, conditions and the payment of such sums of money, whether as taxes, license fees, fines, penalties or deposits of securities as may be required by the home State of such foreign insurance company or companies of companies organized in this State or the agents thereof, and empowering the Commissioner of Insurance and Banking to refuse or cancel permits of foreign insurance companies where permits of Texas companies would be refused or canceled in such foreign State or territory, and declaring an emergency."

The bill was read second time.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 110 as follows: In line 33, page 1, after the word "of," insert the word "such."

Mr. Patman offered the following amendment to the bill:

Amend House bill No. 110 by striking out the enacting clause.

Mr. Teer moved to recommit the bill to the Committee on Insurance.

Mr. Baker of Orange moved the previous question on the pending amend-

ments and motion and the engrossment of the bill, and the main question was ordered.

Question first recurring on the motion to recommit, it was lost.

Question then recurring on the amendment by Mr. Patman, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—46.

Baldwin.	Lane.
Barker.	Loftin.
Barrett.	Looney.
Beasley.	Lusk.
Bell.	McBride.
Carson.	McDaniel.
Collins.	Mathes.
Covey.	Merritt.
Culp.	Morgan
Davis.	of Robertson.
DeBerry.	Patman.
Dinkle.	Patterson.
Dodd.	Price.
Durham.	Purl.
Finlay.	Quaid.
Frnka.	Rice.
Harrington.	Sanford.
Henderson	Shearer.
of Marion.	Shires.
Hendricks.	Stiernberg.
Hughes.	Storey.
Jones.	Thompson.
Lackey.	Thrasher.
Laird.	Wallace.

Nays—80.

Abney.	Edwards.
Amsler.	Faubion.
Arnold.	Gipson.
Atkinson.	Greer.
Avis.	Hardin of Erath.
Baker of Milam.	Hardin
Baker of Orange.	of Kaufman.
Bird.	Houston.
Blount.	Howeth.
Bobbitt.	Hull.
Bryant.	Irwin.
Cable.	Jacks.
Carpenter	Jennings.
of Dallas.	Kemble.
Carpenter	Lamb.
of Matagorda.	LeMaster.
Carter of Coke.	LeSturgeon.
Carter of Hays.	Lewis.
Chitwood.	McDonald.
Cowen.	McNatt.
Crawford.	Martin.
Davenport.	Melson.
Dielmann.	Merriman.
Downs.	Miller.
Driggers.	Montgomery.
Duffey.	Pate.
Dunlap.	Perdue.
Dunn.	Pinkston.

Pope.	Stewart
Potter.	of Edwards.
Quinn.	Stewart of Jasper.
Rogers.	Stewart of Reeves.
Rowland.	Strickland.
Russell	Stroder.
of Callahan.	Sweet.
Russell of Trinity.	Teer.
Sackett.	Turner.
Satterwhite.	Wells.
Simpson.	Westbrook.
Smith.	Wessels.
Sparkman.	Williamson.
Stell.	Young.
Stevens.	

Absent.

Bonham.	Harris.
Brady.	Maxwell.
Coffee.	Moore.
Fields.	Pool.
Fugler.	Robinson.
Green.	Rountree.

Absent—Excused.

Burmeister.	Morgan
Henderson	of Liberty.
of McLennan.	Vaughan.
Johnson.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.

Question then recurring on the amendment by Mr. Quinn, it was adopted.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 110 as follows:

In line 1, Section 1, strike out the word "of," after the word "State," and insert in lieu thereof the word "or."

The amendment was adopted.

Mr. Quinn offered the following amendment to the bill:

In line 37, page 1, strike out the word "in" and insert in lieu thereof the word "of."

The amendment was adopted.

House bill No. 110 was then passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 18, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 60, A bill to be entitled "An Act creating the Ninety-second Judicial District to be composed of the counties of Young, Archer and Clay, and fixing the terms of said

court; providing for the appointment of a district judge; providing that the Thirtieth Judicial District, now composed of the counties of Young, Archer, Clay and Wichita, shall hereafter be composed of Wichita county alone, and fixing the terms of the Thirtieth Judicial District; providing for officers of the court, and preserving the status of cases and proceedings, and providing that the county attorneys of the respective counties within said Ninety-second District shall perform the duties of district attorney in their counties as well as the duties now performed by them, and providing fees of office, and declaring an emergency."

Respectfully,
RICHARD BLALOCK,
 Assistant Secretary of the Senate.

RECESS.

Mr. Kemble moved that the House recess until 3 o'clock p. m. today.

Mr. Wessels moved that the House recess until 2 o'clock p. m. today.

The motion of Mr. Wessels prevailed, and the House accordingly, at 12 o'clock m., took recess until 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

SPECIAL COMMITTEE APPOINTED.

The Speaker announced the appointment of the following committee to arrange for committee rooms:

Messrs. Jones, Patman, Smith, Rountree, Henderson of McLennan, Chitwood, Teer.

EMPLOYES OF HOUSE.

The Speaker announced the appointment of the following porters:

Jack Blocker, M. T. Piper, Ben Perry.

ANNOUNCEMENT AS TO STENOGRAPHERS.

Mrs. H. B. Clagett was appointed stenographer on yesterday to take the place of Mrs. Uncas Johnson, who has been transferred to the Appropriation Committee.

Miss Fannie Daniels was appointed stenographer on yesterday to take the place of Miss R. L. Matthews, resigned.

ANNOUNCEMENT AS TO EMPLOYEES OF THE HOUSE.

The Speaker announced as follows as to employees of the House:

All appointments of employees of the House are conditioned that they and each of them are competent and able to do efficient work.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time and referred to the appropriate committee, as follows:

Senate bill No. 60, to Committee on Judicial Districts.

BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 69, "An Act to amend Chapter 26 of the General Laws passed by the Regular Session of the Thirty-seventh Legislature, same being Senate bill No. 267, approved March 12, 1921, as amended by Chapter 4 of the General Laws passed by the Second Called Session of the Thirty-seventh Legislature, same being Senate bill No. 14, approved August 25, 1921, creating a board of managers for the Texas State Railroad; providing its duties, etc.; amending Section 1 of the original act so as to provide for the appointment of members and chairman of the board and for filling vacancies thereon; also by adding Sections 8a and 8b, authorizing the granting of free passes or transportation over railroads to the members of the boards of managers, and declaring an emergency."

HOUSE BILL NO. 146 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 146, A bill to be entitled "An Act to amend Article 6319, Sections 1, 2, 3, 4 and 5, Chapter 3, Title 107, General Laws of Texas, Acts of the Thirty-sixth Legislature, Fourth Called Session, 1920, substituting said sections and adding new sections; creating pilot boards in navigation districts containing cities of 100,000 population or more, and owning, operating or controlling docks, wharves or other facilities for

utilizing navigable streams therein; giving exclusive jurisdiction to such navigation districts over pilotage of vessels between the Gulf of Mexico and their respective ports; power of navigation and canal commissions constituting such pilot boards to appoint branch pilots, suspend or dismiss branch pilots or deputies, and to adopt rules and regulations for such; providing for bonds of branch pilots and issuance of commissions to them by the Governor; providing reasonable rates for pilotage; defining duties, rights and privileges of branch pilots, and the responsibilities of vessels and consignees to them; disqualifying persons for membership on pilot boards who are interested in any business affected by such position; repealing all laws and parts of laws in conflict with this act to the extent of such conflict, and declaring an emergency."

The bill was read second time.

Mr. Rogers offered the following amendment to the bill:

Amend House bill No. 146, Section 6, page 3, by striking out the word "two," in line No. 7, and insert in lieu thereof "one (1)."

The amendment was adopted.

Mr. Rogers offered the following amendment to the bill:

Amend House bill No. 146, Section 6, page 3, by striking out the words in line No. 13, "said commissioners," and insert in lieu thereof the words "Secretary of State."

The amendment was adopted.

House bill No. 146 was then passed to engrossment.

HOUSE BILL NO. 146 ON THIRD READING.

Mr. Rogers moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 146 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Mr. Speaker.	Bell.
Abney.	Bird.
Amster.	Blount.
Arnold.	Bobbitt.
Atkinson.	Brady.
Avis.	Bryant.
Baker of Milam.	Cable.
Baker of Orange.	Carpenter
Barrett.	of Matagorda.
Bensley.	Carson.

Carter of Coke.	Melson.
Carter of Hays.	Merriman.
Chitwood.	Merritt.
Coffee.	Miller.
Collins.	Montgomery.
Covey.	Morgan
Cowen.	of Robertson.
Davenport.	Pate.
DeBerry.	Patman.
Dielmann.	Patterson.
Dinkle.	Perdue.
Dodd.	Pinkston.
Downs.	Pool.
Driggers.	Pope.
Duffey.	Potter.
Dunlap.	Price.
Dunn.	Purl.
Durham.	Quinn.
Edwards.	Rice.
Faubion.	Robinson.
Fields.	Rogers.
Finlay.	Rowland.
Frnka.	Russell of Trinity.
Gipson.	Sackett.
Green.	Sanford.
Greer.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Shires.
Harrington.	Simpson.
Henderson	Smith.
of Marion.	Sparkman.
Hendricks.	Stell.
Houston.	Stevens.
Howeth.	Stewart of Jasper.
Hull.	Stewart of Reeves.
Irwin.	Stiernberg.
Jacks.	Storey.
Jennings.	Stroder.
Kemble.	Sweet.
Lackey.	Teer.
Laird.	Thompson.
Lane.	Thrasher.
LeMaster.	Turner.
Looney.	Wallace.
Lusk.	Westbrook.
McDaniel.	Wessels.
McDonald.	Williamson.
Mathes.	Young.

Nays—6.

Davis.	Quaid.
Hughes.	Stewart
Jones.	of Edwards.
McNatt.	

Absent.

Baldwin.	Lamb.
Barker.	LeSturgeon.
Bonham.	Lewis.
Carpenter	Loftin.
of Dallas.	McBride.
Crawford.	Martin.
Culp.	Maxwell.
Fugler.	Moore.
Hardin of Erath.	Rountree.
Harris.	Strickland.

Russell
of Callahan.
Absent—Excused.

Burmeister. Morgan
Henderson of Liberty.
of McLennan. Vaughan.
Johnson. Wilmans.
McFarlane. Wilson.
McKean. Winfree.

The Speaker then laid House bill No. 146 before the House on its third reading and final passage.

The bill was read third time.

Mr. Perdue offered the following amendment to the bill:

Amend by substituting the word "empowering" for the word "Constitution" in line 16 of the caption.

The amendment was adopted.

The Clerk was directed to call the roll, and House bill No. 146 was passed by the following vote:

Yeas—118.

Mr. Speaker.	Fields.
Abney.	Finlay.
Amsler.	Frnka.
Arnold.	Gipson.
Atkinson.	Green.
Avis.	Greer.
Baker of Milam.	Hardin of Erath.
Baker of Orange.	Harrington.
Beasley.	Harris.
Bell.	Henderson
Bird.	of Marion.
Blount.	Hendricks.
Bobbitt.	Houston.
Brady.	Howeth.
Bryant.	Hughes.
Cable.	Hull.
Carpenter	Irwin.
of Matagorda.	Jacks.
Carson.	Jennings.
Carter of Coke.	Jones.
Carter of Hays.	Kemble.
Coffee.	Lackey.
Collins.	Laird.
Covey.	Lane.
Cowen.	Lewis.
Crawford.	Looney.
Culp.	Lusk.
Davenport.	McDaniel.
DeBerry.	McDonald.
Dielmann.	McNatt.
Dinkle.	Mathes.
Dodd.	Maxwell.
Downs.	Melson.
Driggers.	Merriman.
Duffey.	Merritt.
Dunlap.	Miller.
Dunn.	Montgomery.
Durham.	Morgan
Edwards.	of Robertson.
Faubion.	Pate.

Patman.	Shires.
Patterson.	Simpson.
Perdue.	Sparkman.
Pinkston.	Stell.
Pool.	Stevens.
Pope.	Stewart of Jasper.
Potter.	Stewart of Reeves.
Price.	Stiernberg.
Purl.	Storey.
Quaid.	Stroder.
Quinn.	Sweet.
Rice.	Teer.
Robinson.	Thompson.
Rogers.	Thrasher.
Rowland.	Turner.
Russell of Trinity.	Wallace.
Sackett.	Westbrook.
Sanford.	Wessels.
Satterwhite.	Williamson.
Shearer.	Young.

Nays—1.

Davis.

Absent.

Baldwin.	Loftin.
Barker.	McBride.
Barrett.	Martin.
Bonham.	Moore.
Carpenter	Rountree.
of Dallas.	Russell
Chitwood.	of Callahan.
Fugler.	Smith.
Hardin	Stewart
of Kaufman.	of Edwards.
Lamb.	Strickland.
LeMaster.	Wells.
LeStourgeon.	

Absent—Excused.

Burmeister.	Morgan
Henderson	of Liberty.
of McLennan.	Vaughan.
Johnson.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.

HOUSE BILL NO. 37 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 37, A bill to be entitled "An Act repealing Chapter 17, Local and Special Laws, enacted by the First Called Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-sixth Legislature, entitled San Patricio county road system, creating, providing that the general laws of the State of Texas relating to working public roads, appointing overseers, the issuance of bonds for the

construction of public roads, shall be applicable to San Patricio county, validating all defined road districts defined, and established under and by virtue of said San Patricio county special road law, as well as the road bonds issued thereunder, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

MOTION TO RE-REFER.

Mr. Greer moved that House bill No. 97, which was reported adversely by the Committee on State Affairs, be referred to the Committee on Education.

The motion to refer was lost.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Barrett, Senate bill No. 28 and House bill No. 186 were ordered not printed.

BILL ORDERED PRINTED.

Mr. Greer moved that House bill No. 97 reported adversely with a minority favorable report be printed.

Question recurring on the motion to print, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—65.

Abney.	Houston.
Amsler.	Howeth.
Arnold.	Irwin.
Atkinson.	Kemble.
Baker of Milam.	Laird.
Baker of Orange.	Lane.
Bird.	LeStourgeon.
Cable.	Looney.
Carpenter	Lusk.
of Dallas.	McDonald.
Carter of Coke.	McNatt.
Carter of Hays.	Melson.
Collins.	Merritt.
Covey.	Moore.
Crawford.	Pate.
Davis.	Perdue.
Dielmann.	Pinkston.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Purl.
Dunlap.	Quinn.
Dunn.	Rice.
Durham.	Rountree.
Faubion.	Rowland.
Fields.	Sanford.
Greer.	Shearer.
Hardin of Erath.	Smith.
Hardin	Sparkman.
of Kaufman.	Stell.
Harris.	Stewart of Jasper.

Stewart	Teer.
of Edwards.	Thrasher.
Stewart of Reeves.	Wallace.
Stroder.	Williamson.

Nays—63.

Avis.	Jones.
Baldwin.	Lackey.
Barker.	Lewis.
Barrett.	McDaniel.
Beasley.	Mathes.
Bell.	Maxwell.
Blount.	Merriman.
Bobbitt.	Miller.
Brady.	Montgomery.
Bryant.	Morgan
Carpenter	of Robertson.
of Matagorda.	Patman.
Carson.	Patterson.
Chitwood.	Pool.
Coffee.	Quaid.
Cowen.	Robinson.
Davenport.	Russell
DeBerry.	of Callahan.
Dinkle.	Russell of Trinity.
Duffey.	Sackett.
Edwards.	Satterwhite.
Finlay.	Shires.
Frnka.	Simpson.
Fugler.	Stevens.
Gipson.	Stiernberg.
Green.	Storey.
Harrington.	Strickland.
Henderson	Sweet.
of Marion.	Thompson.
Hendricks.	Turner.
Hughes.	Westbrook.
Hull.	Wessels.
Jacks.	Young.
Jennings.	

Absent.

Bonham.	McBride.
Culp.	Martin.
Lamb.	Price.
LeMaster.	Rogers.
Loftin.	Wells.

Absent—Excused.

Burmeister.	Morgan
Henderson	of Liberty.
of McLennan.	Vaughan.
Johnson.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.

BILL RE-REFERRED.

On motion of Mr. Stewart of Reeves, House bill No. 221 was withdrawn from the Committee on Agriculture and referred to the Committee on Stock and Stock Raising.

SENATE BILL NO. 28 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 28, A bill to be entitled "An Act creating the Kerrville Independent School District, in Kerr county, Texas, out of the territory known as the Kerrville Independent School District, organized under the general laws, and other adjacent property thereto in said county, and including within its boundaries the municipal corporation of the city of Kerrville; providing for a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes; and repealing all laws in conflict with this act, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 28 ON THIRD
READING.

Mr. Stewart of Edwards by unanimous consent moved that the constitutional rule requiring bills to be read on three several days be suspended, and Senate bill No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118.

Mr. Speaker.	Covey.
Abney.	Cowen.
Amsler.	Crawford.
Arnold.	Culp.
Atkinson.	Davenport.
Avis.	DeBerry.
Baker of Milam.	Dielmann.
Baker of Orange.	Dodd.
Baldwin.	Downs.
Barker.	Driggers.
Barrett.	Duffey.
Beasley.	Dunlap.
Bell.	Dunn.
Bird.	Durham.
Blount.	Edwards.
Bobbitt.	Faubion.
Brady.	Finlay.
Bryant.	Frnka.
Cable.	Gipson.
Carpenter	Green.
of Dallas.	Greer.
Carpenter	Hardin of Erath.
of Matagorda.	Hardin
Carson.	of Kaufman.
Carter of Coke.	Harrington.
Carter of Hays.	Hendricks.
Chitwood.	Houston.
Coffee.	Howeth.
Collins.	Hughes.

Jacks.
Jennings.
Jones.
Kemble.
Lackey.
Laird.
LeSturgeon.
Lewis.
Looney.
Lusk.
McDaniel.
McDonald.
McNatt.
Mathes.
Melson.
Merriman.
Merritt.
Montgomery.
Moore.
Morgan
of Robertson.
Pate.
Patterson.
Perdue.
Pinkston.
Pool.
Pope.
Potter.
Price.
Purl.
Quaid.
Quinn.
Rice.

Rogers.
Rowland.
Russell
of Callahan.
Russell of Trinity.
Sackett.
Sanford.
Satterwhite.
Shearer.
Shires.
Simpson.
Smith.
Sparkman.
Stell.
Stevens.
Stewart
of Edwards.
Stewart of Jasper.
Stewart of Reeves.
Stiernberg.
Storey.
Strickland.
Stroder.
Sweet.
Teer.
Thompson.
Thrasher.
Turner.
Wallace.
Westbrook.
Wessels.
Williamson.
Young.

Nays—4.

Davis.
LeMaster.

Miller.
Robinson.

Absent.

Bonham.
Dinkle.
Fields.
Fugler.
Harris.
Henderson
of Marion.
Hull.
Irwin.

Lamb.
Lane.
Loftin.
McBride.
Martin.
Maxwell.
Patman.
Rountree.
Wells.

Absent—Excused.

Burmeister.
Henderson
of McLennan.
Johnson.
McFarlane.
McKean.

Morgan
of Liberty.
Vaughan.
Wilmons.
Wilson.
Winfree.

The Speaker then laid Senate bill No. 28 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—113.

Mr. Speaker.	Laird.
Abney.	Lane.
Amaler.	LeSturgeon.
Arnold.	Lewis.
Atkinson.	Looney.
Avis.	Lusk.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Baldwin.	McNatt.
Barker.	Mathes.
Barrett.	Merriman.
Beasley.	Merritt.
Bell.	Miller.
Bird.	Montgomery.
Brady.	Moore.
Bryant.	Morgan
Cable.	of Robertson.
Carpenter	Pate.
of Dallas.	Patman.
Carson.	Patterson.
Carter of Coke.	Perdue.
Carter of Hays.	Pinkston.
Chitwood.	Pool.
Coffee.	Pope.
Collins.	Price.
Covey.	Purl.
Cowen.	Quinn.
Crawford.	Rice.
Culp.	Robinson.
Davenport.	Rogers.
Davis.	Rowland.
DeBerry.	Russell
Dielmann.	of Callahan.
Downs.	Russell of Trinity.
Driggers.	Sackett.
Duffey.	Sanford.
Dunlap.	Satterwhite.
Dunn.	Shearer.
Durham.	Shires.
Edwards.	Simpson.
Faubjon.	Smith.
Fields.	Sparkman.
Finlay.	Stell.
Frnka.	Stevens.
Gipson.	Stewart
Green.	of Edwards.
Greer.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Hardin	Stiernberg.
of Kaufman.	Storey.
Harrington.	Strickland.
Hendricks.	Stroder.
Howeth.	Sweet.
Hull.	Teer.
Jack.	Thompson.
Jennings.	Thrasher.
Jones.	Turner.
Kemble.	Westbrook.
Lackey.	Williamson.

Nays—2.

LeMaster.	Weasels.
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Present—Not Voting.

Irwin.

Absent.

Blount.	Lamb.
Bobbitt.	Loftin.
Bonham.	McBride.
Carpenter	Martin.
of Matagorda.	Maxwell.
Dinkle.	Melson.
Dodd.	Potter.
Fugler.	Quaid.
Harris.	Rountree.
Henderson	Wallace.
of Marion.	Wells.
Houston.	Young.
Hughes.	

Absent—Excused.

Burmeister.	Morgan
Henderson	of Liberty.
of McLennan.	Vaughan.
Johnson.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.

ADJOURNMENT.

Mr. Chitwood moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Cable moved that the House adjourn until 2 o'clock p. m. tomorrow.

The motion of Mr. Cable prevailed, and the House accordingly at 3 o'clock p. m. adjourned until 2 o'clock p. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees reported favorably today the following bills:

Public Health—House bill No. 50.

Judicial Districts—House bills Nos. 180 and 181.

Common Carriers—House bill No. 90.

Judiciary—House bills Nos. 25, 64, 171, 173, 102, 70, 92, 166, 165 and 26.

Education—House bill No. 155.

Municipal and Private Corporations—House bill No. 63, Senate bill No. 34.

The following committees reported adversely today on the following bills:

Common Carriers—House bills Nos. 68 and 69.

Revenue and Taxation—House bill No. 135.

The Committee on Rules reported favorably today the resolution by Mr. Moore.

The Committee on Contingent Expenses reported favorably today the resolution relating to House porters.

The Committee on Claims and Accounts reported favorably today on a claim of the sheriff of Harris county for mileage.

REPORT OF COMMITTEE ON EN-
ROLLED BILLS.

Committee Room,

Austin, Texas, January 18, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 1, Providing for a joint
session to hear the address of the Gov-
ernor.

H. C. R. No. 2 Inviting Hon. Roy A.
Haynes, National Federal Prohibition
Commissioner, to address the Legisla-
ture,

Have carefully compared same, and
find them correctly enrolled, and have
this day, at 10:15 o'clock a. m., pre-
sented same to the Governor for his ap-
proval.

HENDRICKS, Chairman.

In Memory
of
Hon. J. J. Vannoy

Mr. Lamb offered the following resolution:

Whereas, The Hon. J. J. Vannoy, a former member of the House of Representatives from Limestone County in the Thirty-third, Thirty-fourth and Thirty-fifth sessions, died at Dallas, Texas, January 12, 1923; and

Whereas, Mr. Vannoy was an outstanding public official and beloved citizen, fair and fearless in the discharge of a public duty, honored by his home people and one whose service was acceptable to his neighbors and beneficial to his State; therefore be it

Resolved, That the members of this House extend to his family, individually and collectively, their sympathy in their hour of sorrow; and be it further

Resolved, That a copy of these resolutions be furnished to his family, and that a copy be printed on the pages of the Journal, and when the House adjourn today it do so in honor of his memory.

The resolution was read second time and was adopted unanimously.